

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

Request for waiver of foreign language requirement in 704 KAR 3:340, Commonwealth Diploma, from Ballard County School District

Applicable Statute or Regulation:

704 KAR 3:340; KRS 156.070; KRS 156:160

Action Question:

Should the Kentucky Board of Education grant a waiver to Ballard County School District in order for it to award a Commonwealth Diploma to a student with a degenerate hearing impairment who is unable to fulfill the Advanced Placement foreign language requirement?

History/Background:

Existing Policy. Requirements for the Commonwealth Diploma were revised and adopted by the Kentucky Board of Education on March 2, 1988 (704 KAR 3:340) and are as follows:

(1) Successful completion of at least twenty-two (22) approved units of credit, including all the minimum units requirements for high school graduation set forth in [704 KAR 3:305](#) and any additional units specified by the applicable local board of education.

(2) Successful completion of all minimum requirements of the Precollege Curriculum established by the Council on Higher Education.

(3) Successful completion of at least four (4) courses, as listed below, which contain essential content as described in the Advanced Placement program course description booklets of the College Entrance Examination Board or as described in the International Baccalaureate program course description booklets:

- English;
- Science or mathematics;
- Foreign language; and
- One (1) additional Advanced Placement course.

(4) Completion of examinations in at least three (3) of the Advanced Placement or International Baccalaureate subject areas specified above, without regard to score.

A student in Ballard County is on course to complete all of the requirements cited above with the exception of the Advanced Placement course in foreign language. The student's hearing loss prevents the student from completing this requirement. The local district has submitted a request for a waiver of that requirement for this student (See attached letter and page from local board minutes from Ballard County.). In lieu of the AP Foreign Language class, the student took an on-line American Sign Language class.

KRS 156.160 (2) provides that upon the request of a local board of education or school council through the local superintendent, the KBE may waive one of its regulations when circumstances are demonstrated that may include the following:

- An alternative approach will achieve the same result required by the regulation;
- Implementation of the regulation will cause a hardship on the school district or school or jeopardize the continuation or development of programs; or
- There is a finding of good cause for the waiver.

Staff Recommendation and Rationale:

Staff recommends granting the waiver to allow this student to receive a Commonwealth Diploma without completing the Advanced Placement foreign language requirement due to the circumstances of the student's degenerate hearing impairment. Additionally, he took an American Sign Language class in lieu of AP Spanish.

Impact on Getting to Proficiency:

The Commonwealth Diploma program encourages students to take rigorous high school courses that are designed to lead to better success in postsecondary pursuits.

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Deputy Commissioner

Commissioner of Education

Date:

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